



Ask SAF....

Q Am I eligible to receive benefits if I develop a disease or condition as a result of performing my job duties?

A Yes, If the disease or condition is directly

related to and caused by performing your job duties. Ordinary illnesses or diseases which the general public are exposed to (colds, the flu, etc.) are NOT covered.

Please feel free to write, e-mail or call the editor with any questions you would like to see addressed in this column.

FYI:

Pennsylvania Insurance Commissioner M. Diane Koken has ordered the liquidation of Reliance Insurance Company after the company reported a deficit of more than \$1 billion. The order of liquidation applies to Reliance and all of its former subsidiaries, including Reliance National Indemnity Co., Reliance National Ins. Co., United Pacific Ins. Co., Reliance Direct Co., Reliance Surety Co., Reliance Universal Insurance Company, United Pacific Insurance Company of New York, and Reliance Insurance Company of Illinois.

-November 2001 issue of "On Workers' Compensation"

The SAF Source is a quarterly newsletter published by the South Carolina State Accident Fund as a vehicle to provide news, technical information and guidance to state/local government policyholders, policymakers and others concerned with the management of workers' compensation programs.

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Welcome New Policyholders!

Abbeville Rescue Inc.
Abbeville, SC

Belvedere Fire Department
Belvedere, SC

Boiling Springs Fire Department
Spartanburg, SC

CKC Volunteer Fire Department
Blacksburg, SC

Fork Rescue Squad
Townsville, SC

Pelzer Rescue Squad
Pelzer, SC

South Carolina Education Lottery Commission
Columbia, SC

Vocational Rehabilitation Clients Hartsville



OSHA 300 TRAINING BIG HIT!

Turn-out was high for the four "OSHA 300 Regional Training Sessions" held by the agency's Safety and Loss Prevention unit. A total of nearly 200 people attended sessions located at Greenville Technical College, Coastal Carolina University, and the State Accident Fund. Many thanks to those who hosted and participated in these sessions. The seminars provided information on how to comply with OSHA's revamped records keeping standard and the new OSHA 300, 300A, and 301 forms that went into effect January 1, 2002.

This training is offered at no cost to our policyholders and can be conducted on-site. If you need information or training on the new OSHA 300 Log or any other OSHA mandated subject, please call or e-mail one of our Safety and Loss Prevention Specialists.

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Amount Recovered from Second Injury Fund Reaches New High

Last fiscal year the State Accident Fund led all workers' compensation carriers in the state in the amount recovered from the Second Injury Fund. Through the combined effort of our staff, employers, and our contract partner, Reimbursement Consultants, Inc.(RCI) we were able to recover over \$8.2 million dollars for our policyholders.

RCI reviews claim files to identify reimbursement potential. Their consultants contact policyholders to verify prior knowledge of an employee's pre-existing condition. This knowledge requirement is a key requirement in the reimbursement process.

Since the employer must have knowledge of the pre-existing condition, communication between the employer and employee is perhaps the single most important ingredient necessary for successful Second Injury Fund recoveries. The employer must develop a program to identify prior disabilities in newly hired personnel, as well as those which develop in the current workforce.

It is also important to remember that, when filing a workers' compensation claim, the employer should advise the State Accident Fund of any pre-existing conditions.

The money recovered, minus any administrated expenses is credited directly

Workers' Comp Across the Country

According to an article in the November 2001 issue of "On Workers' Compensation", many employers around the country are likely to pay higher premiums for workers' compensation coverage for at least the next year.

The National Council on Compensation Insurance reported that the national workers' compensation market continues to perform poorly.

These negative market trends have already triggered a number of rate increases in states around the country, including California, Wisconsin, and Missouri. Employers in Florida are facing a possible 7.9 percent premium increase.

As the cost of medical care for injured workers continues to rise, remember how important it is to have an effective Safety and Loss Control program in place to reduce the frequency and severity of workplace injuries. ***The only proven way to reduce your costs is to reduce number and severity of injuries.*** If you need assistance setting up a Safety and Loss Control program, please contact us.



Hearing Conservation

Do your employees wear ear protection on the job? Should they? What does the Occupational Safety & Health Administration (OSHA) require of employers when it comes to protecting employees hearing?

HEARING CONSERVATION PROGRAMS

The Code of Federal Regulations (CFR) 29, Part 1910.95 requires employers to administer a continuing, effective hearing conservation program whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels. In order to calculate sound levels in your workplace, noise testing needs to be performed by a qualified individual.

MONITORING

When information indicates that any employee's exposure may equal or exceed an 8-hour TWA of 85 decibels, the employer shall develop and implement a monitoring program. A sampling strategy shall be designed to identify employees for inclusion in the hearing conservation program and to enable the proper selection of hearing protectors. Monitoring shall be repeated whenever a change in production, process, equipment or controls increases noise exposure to the extent that:

- (1) Additional employees may be exposed at or above the threshold level; or
- (2) Hearing protection may need to be upgraded.

AUDIOMETRIC TESTING

Audiometric tests must be performed at least annually for all employees exposed to a TWA of 85 decibels or greater by a licensed or certified audiologist, otolaryngologist, or other physician, or by a technician who is certified by the Council of Accreditation in Occupational Hearing Conservation. A baseline audiogram is required within 6

months of an employee's first exposure at or above the threshold limit to establish a baseline against which all subsequent audiograms can be compared. Follow-up for standard threshold shifts indicating hearing loss by the audiogram is explained in CFR 1910.95, paragraphs (g)(8) and (g)(10).

HEARING PROTECTORS

Employers shall make hearing protectors available at no cost to employees in their hearing conservation program. Hearing protectors shall be replaced as necessary. Employers shall ensure that hearing protectors are worn and provide training in the use and care of all hearing protectors provided to employees.

TRAINING PROGRAM

The employer shall institute a training program for all employees exposed to an 8-hour TWA of 85 decibels or greater and shall ensure employee participation in such program. The training program shall be repeated annually and information in the program updated to be consistent with changes in protective equipment and work processes. Other program requirements are explained in CFR 1910.95, paragraph (k)(3).

ACCESS TO INFORMATION

The employer shall make available to affected employees copies of this standard and shall also post a copy in a conspicuous location in the workplace.

Are you unsure of what OSHA expects from employers? Would you like to know before a compliance officer visits your location(s)? Contact our Safety and Loss Prevention Department at 800.521.6576 or 803.896.5800 to get a free, discreet assessment performed by one of our safety professionals.

THE SAF SOURCE

WINTER 2002

SC State Accident Fund's Quarterly Workers' Compensation News and Information Resource

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A New Dedication to Safety**

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STATE DOCUMENTS

The ABCs of Workers' Comp

Injured Employee - An employee injured as the result of an accident or occupational disease, arising out of and in the course and scope of his/her employment. Also known as the "claimant."

Employer/Carrier - Either the employer or their workers' compensation insurance carrier, such as the SAF. Under South Carolina workers' compensation law, the employer and the carrier are considered one and the same.

Claims Mediator - A classified employee of the SC Workers' Compensation Commission who is authorized to appear on behalf of a commissioner at Informal Conferences to review a proposed Form 16 settlement. A Claims Mediator may not appear on behalf of a commissioner at a Clincher Conference requested for the review of an Agreement and Final Release.

Commissioner - Any one of seven (7) members of the SC Workers' Compensation Commission, appointed by the Governor with the advice and consent of the Senate for terms of six (6) years and until their successors are appointed and qualify. They hear and determine all contested cases brought before the SC Workers' Compensation Commission, as well as conduct Informal Conferences, approve settlements, hear applications for full Commission reviews, and handle other matters that may come before the Commission for judicial disposition.

Volume 7, Issue 2

Winter 2002

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Latest Survey Results

The South Carolina State Accident Fund would like to thank all of our policyholders who took the time to complete and return our most recent survey.

The survey was designed to gather information on our newest supplier, CompEndium Services Incorporated. The State Accident Fund entered into a business relationship with this innovative medical management company in December 2000. The services were phased in over the last year. In an attempt to determine the quality of service being provided and to identify areas needing improvement the agency sent surveys to several of its policyholders in late September. A total of 179 surveys were mailed to policyholders. Over 54% of the surveys were returned.

Responses were mixed. The vast majority (83.7%) of the responses were positive. However, it was evident that the current service levels were not adequate for all of our customers. The major areas of concern identified by the survey included communications with policyholder representatives, the speed and quality of care provided, and billing practices. Your comments and concerns were communicated directly to CompEndium's top management.

CompEndium has already taken actions in response to the information you provided in the survey. They have modified their structure and assigned nurses to specific teams and accounts. They have modified their reporting process and their billing procedures to better address specific customer needs.

Let us know if this helped. Please, continue to submit your comments and recommendations. As we continue to work with CompEndium to provide you with the type and quality of services you desire, it is essential that we know what is working and what requires attention.

Thanks again!



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